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PATENT - Attorney Docket No. 112.020.125

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Brent M. Segal et al.

Serial No.: 09/915,093

Examiner: Not Assigned

Filed: July 25, 2001

Group Art Unit: 1775

For: ELECTROMECHANICAL MEMORY ARRAY USING NANOTUBE  
RIBBONS AND METHOD FOR MAKING SAME

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence and any enclosures referenced herein are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington D.C. 20231.

December 21, 2001  
Date

*Tina M. Dougal*  
Tina M. Dougal

RESPONSE TO NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL  
APPLICATION

Filed Under 37CFR 1.53(b)  
(FILING DATE GRANTED)

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted) mailed September 6, 2001, enclosed for filing in the above-identified patent application are the following documents:

1. Executed Declaration and Power of Attorney;
2. Sixteen (16) sheets of Formal Drawings;
3. Part 2 - Return Copy of Notice of Missing Parts of Nonprovisional Application;
4. Petition for Two Month Extension of Time Under 37 CFR 1.136(a); and,
5. Fee Transmittal.

The Commissioner is hereby authorized to charge the total sum of **\$265** to Deposit Account No. 08-0219 (**\$65.00**, the appropriate surcharge for late filing of the Declaration, and **\$200** for a two month extension of time).

Page 2

Respectfully submitted,

Dated: December 21, 2001

Robert D. ...

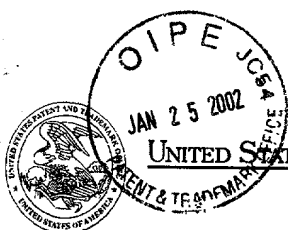
**Peter M. Dichiaro**  
Registration No. 38,005  
Attorney for Applicants

Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6466 (Telephone)  
(617) 526-5000 (Facsimile)

#3

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Page 1 of 2



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/915,093         | 07/25/2001          | Brent M Segal         | 112020 122             |

CONFIRMATION NO. 5567

FORMALITIES LETTER



\*OC00000006517890\*

Peter M. Dichiaro  
Hale and Dorr LLP  
60 State Street  
Boston, MA 02109

Date Mailed: 09/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

01/29/2002 BNGUYEN1 00000094 080219 09915093

02 FC:205 65.00 CH

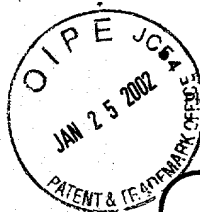
A copy of this notice **MUST** be returned with the reply.



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Sector



Please type a plus sign (+) inside this box → ☒

PTO/SB/21 (6-98)  
Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|   |                        |               |
|---|------------------------|---------------|
| <h1>TRANSMITTAL FORM</h1> <p>(to be used for all correspondence after initial filing)</p> | Application Number     | 09/915,093    |
|   | Filing Date            | July 25, 2001 |
|   | First Named Inventor   | Segal et al.  |
|   | Group Art Unit         | 2818          |
|   | Examiner Name          | Unknown       |
| Total Number of Pages in This Submission  | Attorney Docket Number | 112020.125    |

| ENCLOSURES (check all that apply)   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input checked="" type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts/Incomplete Application<br><input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><input checked="" type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition<br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Small Entity Statement<br><input type="checkbox"/> Request for Refund | <input type="checkbox"/> After Allowance Communication to Group<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)<br><input checked="" type="checkbox"/> Postcard |
| Remarks<br>1.) Executed Declaration<br>2.) Part 2 - Notice to File Missing Parts Letter   |  |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |  |
|--|--|
| Firm or Individual name                    | Hale and Dorr LLP, 60 State Street, Boston, MA 02109 |
| Signature                                  | 23483  |
| Date                                       | December 21, 2001                                    |

| CERTIFICATE OF MAILING   |                |
|--|----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date 12/21/01 |                |
| Typed or printed name  | Tina M. Dougal |
| Signature  |                |
| Date   | 12/21/01       |

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (10-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# **FEE TRANSMITTAL for FY 2002**

Patent fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** (\$ 265.00)

**Complete if Known**

|                      |               |
|----------------------|---------------|
| Application Number   | 09/915,093    |
| Filing Date          | July 25, 2001 |
| First Named Inventor | Segal et a.   |
| Examiner Name        | Unknown       |
| Group Art Unit       | 1775          |
| Attorney Docket No.  | 112020.125    |

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:
- Deposit Account Number: **08-0219**
- Deposit Account Name: **Hale and Dorr LLP**
- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☒ Applicant claims small entity status See 37 CFR 1.27
2. ☐ **Payment Enclosed:**
- ☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION**

**1. BASIC FILING FEE**

| Large Entity |          | Small Entity |          | Fee Description        | Fee Paid |
|--------------|----------|--------------|----------|------------------------|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |                        |          |
| 101          | 740      | 201          | 370      | Utility filing fee     |          |
| 106          | 330      | 206          | 165      | Design filing fee      |          |
| 107          | 510      | 207          | 255      | Plant filing fee       |          |
| 108          | 740      | 208          | 370      | Reissue filing fee     |          |
| 114          | 160      | 214          | 80       | Provisional filing fee |          |

**SUBTOTAL (1)** (\$ 0.00)

**2. EXTRA CLAIM FEES**

Total Claims:  -20\*\* =  X  =

Independent Claims:  - 3\*\* =  X  =

Multiple Dependent:  =

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 103          | 18       | 203          | 9        | Claims in excess of 20                                     |          |
| 102          | 84       | 202          | 42       | Independent claims in excess of 3                          |          |
| 104          | 280      | 204          | 140      | Multiple dependent claim, if not paid                      |          |
| 109          | 84       | 209          | 42       | ** Reissue independent claims over original patent         |          |
| 110          | 18       | 210          | 9        | ** Reissue claims in excess of 20 and over original patent |          |

**SUBTOTAL (2)** (\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)**

**3. ADDITIONAL FEES**

| Large Entity |          | Small Entity |          | Fee Description  | Fee Paid |
|--------------|----------|--------------|----------|--|----------|
| Fee Code     | Fee (\$) | Fee Code     | Fee (\$) |  |          |
| 105          | 130      | 205          | 65       | Surcharge - late filing fee or oath  | 65.00    |
| 127          | 50       | 227          | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139          | 130      | 139          | 130      | Non-English specification  |          |
| 147          | 2,520    | 147          | 2,520    | For filing a request for ex parte reexamination                            |          |
| 112          | 920*     | 112          | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113          | 1,840*   | 113          | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115          | 110      | 215          | 55       | Extension for reply within first month                                     |          |
| 116          | 400      | 216          | 200      | Extension for reply within second month                                    | 200.00   |
| 117          | 920      | 217          | 460      | Extension for reply within third month                                     |          |
| 118          | 1,440    | 218          | 720      | Extension for reply within fourth month                                    |          |
| 128          | 1,960    | 228          | 980      | Extension for reply within fifth month                                     |          |
| 119          | 320      | 219          | 160      | Notice of Appeal   |          |
| 120          | 320      | 220          | 160      | Filing a brief in support of an appeal                                     |          |
| 121          | 280      | 221          | 140      | Request for oral hearing   |          |
| 138          | 1,510    | 138          | 1,510    | Petition to institute a public use proceeding                              |          |
| 140          | 110      | 240          | 55       | Petition to revive - unavoidable   |          |
| 141          | 1,280    | 241          | 640      | Petition to revive - unintentional   |          |
| 142          | 1,280    | 242          | 640      | Utility issue fee (or reissue)   |          |
| 143          | 460      | 243          | 230      | Design issue fee   |          |
| 144          | 620      | 244          | 310      | Plant issue fee  |          |
| 122          | 130      | 122          | 130      | Petitions to the Commissioner  |          |
| 123          | 50       | 123          | 50       | Processing fee under 37 CFR 1.17(q)  |          |
| 126          | 180      | 126          | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581          | 40       | 581          | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146          | 740      | 246          | 370      | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149          | 740      | 249          | 370      | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179          | 740      | 279          | 370      | Request for Continued Examination (RCE)                                    |          |
| 169          | 900      | 169          | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3)** (\$ 265.00)

**SUBMITTED BY**

|                   |                          |                                   |              |                          |            |
|-------------------|--------------------------|-----------------------------------|--------------|--------------------------|------------|
| Name (Print/Type) | Peter M. Dichiera        | Registration No. (Attorney/Agent) | 38,005       | Complete (if applicable) |            |
| Signature         | <i>Peter M. Dichiera</i> | Telephone                         | 617-526-6771 | Date                     | 12/21/2001 |

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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